

On December 8, 2017, Worldwide Subsidy Group LLC (a Texas limited liability company) dba Independent Producers Group ("IPG") filed a complaint against the Librarian of Congress in U.S. District Court for the District of Columbia pursuant to the Administrative Procedure Act with regard to the Copyright Royalty Board's ("CRB") rulings in the consolidated 2004-2009 Cable and 1999-2009 Satellite proceedings, CRB Docket Nos. 2012-6 and 2012-7. A copy of that complaint, styled Worldwide Subsidy Group v. Hayden, is attached hereto as Exhibit A.

Because that action seeks to reverse the CRB's rulings in the referenced consolidated proceedings with regard to the denial of IPG's "presumption of validity" as to its claims, the ruling by the District Court on IPG's claims in Worldwide Subsidy Group v. Hayden could significantly alter the amounts MC will be entitled to receive in this proceeding. Specifically, a ruling in Worldwide Subsidy Group v. Hayden may have a precedential effect on the CRB ruling in this proceeding with regard to MC's "presumption of validity" herein, since the basis upon which the CRB denied MC's "presumption of validity" in this proceeding in its October 23, 2017 order was that MC was attempting to evade the CRB's order denying IPG's "presumption of validity" in Docket Nos. 2012-6 and 2012-7 (see pages 7-11 of the 10/23/17 order).

Simply put, the CRB's ruling substantially reduced the value of MC's claims, and Worldwide Subsidy Group v. Hayden may result in the reversal of the ruling on IPG's "presumption of validity". Were the distribution portion of this proceeding to continue, and final determinations for the royalty years in question were made, in the event that IPG were successful in Worldwide Subsidy Group v. Hayden, the determinations and distributions made herein would be invalidated, and these proceedings would need to be re-opened.

In several previous circumstances, the CRB has similarly stayed proceedings pending the outcome of litigation concerning the positions of the parties and claims at issue in pending distribution proceedings, most notably in Docket No. 2008-2 CRB CD 2000-2003 and Docket No. 2008-1 CRB CD 98-99. Then, as now, there appeared to be little purpose in adjudicating claims before the CRB which could be significantly altered by outside litigation.

Therefore, good cause exists to stay this proceeding until Worldwide Subsidy Group v. Hayden is resolved.

CONCLUSION

For the foregoing reasons, MC moves that the Judges order that the distribution portion of this proceeding be stayed until further notice.

Respectfully submitted,

Dated: December 11, 2017

_____/s/_____
Brian D. Boydston, Esq.
California State Bar No. 155614

PICK & BOYDSTON, LLP
10786 Le Conte Ave.
Los Angeles, California 90024
Telephone: (213)624-1996
Facsimile: (213)624-9073
Email: brianb@ix.netcom.com

Attorneys for Multigroup Claimants

CERTIFICATE OF SERVICE

I hereby certify that on this 11th of December, 2017, a copy of the foregoing was sent by electronic mail to the parties listed on the attached Service List.

_____/s/_____
Brian D. Boydston, Esq.

MPAA-REPRESENTED PROGRAM SUPPLIERS

Gregory O. Olaniran, Esq.
MITCHELL SILBERBERG & KNUPP LLP
1818 n Street N.W., 8th Floor
Washington, DC 20036
Tel: 202-355-7817
goo@msk.com; lhp@msk.com

NATIONAL ASSOCIATION OF BROADCASTERS BROADCASTER CLAIMANTS GROUP

John I. Stewart, Esq.
CROWELL & MORING LLP
1001 Pennsylvania Avenue NW
Washington, DC 20004
Tel: 202-6242-2685
jstewart@crowell.com

SETTLING DEVOTIONAL CLAIMANTS

Arnold P. Lutzker, Esq.

LUTZKER & LUTZKER LLP

1233 20th Street, NW , Suite 703
Washington, DC 20036
Tel: 202-408-7600
arnie@lutzker.com

Clifford M. Harrington, Esq.
Matthew MacLean, Esq.

PILSBURY WINTHROP SHAW PITTMAN LLP

1200 Seventeenth Street NW
Washington, DC 20036
Matthew.maclean@pillsburylaw.com
clifford.harrington@pillsburylaw.com

JOINT SPORTS CLAIMANTS

Robert Alan Garrett

ARNOLD AND PORTER LLP

601 Massachusetts Ave., NW
Washington, DC 20001
Tel: 202-942-5000
Robert.garrett@apks.com; sean.laane@apks.com; Michael.kientzle@apks.com

Michael J. Mellis

OFFICE OF THE COMMISSIONER OF BASEBALL

245 Park Avenue
New York, NY 10167
Tel: 212-931-7800
Mike.Mellis@mlb.com

Phillip R. Hochberg, Esq.

LAW OFFICES OF PHILLIP R. HOCHBERG

12505 Park Potomac Avenue, 6th Floor
Potomac, MD 20854
Tel: 301-230-6572
phochberg@shulmanrogers.com

Ritchie T. Thomas, Esq.
SQUIRE PATTON BOGGS
2550 M Street Northwest
Washington, DC 20037
Tel: 202-457-6000
Ritchie.thomas@squirepb.com

Certificate of Service

I hereby certify that on Thursday, December 14, 2017 I provided a true and correct copy of the Attachment-Complaint for Declaratory and Injunctive Relief to the following:

National Public Radio, Inc. (NPR) (submitted comment), represented by Gregory A Lewis served via Electronic Service at glewis@npr.org

American Society of Composers, Authors and Publishers (ASCAP), represented by Sam Mosenkis served via Electronic Service at smosenkis@yahoo.com

Joint Sports Claimants, represented by Michael E Kientzle served via Electronic Service at michael.kientzle@apks.com

SESAC, Inc., represented by John C. Beiter served via Electronic Service at jbeiter@lsglegal.com

Broadcaster Claimants Group, represented by David J Ervin served via Electronic Service at dervin@crowell.com

Spanish Language Producers, represented by Brian D Boydston served via Electronic Service at brianb@ix.netcom.com

MPAA-represented Program Suppliers, represented by Lucy H Plovnick served via Electronic Service at lh@msk.com

Major League Soccer, LLC, represented by Edward S. Hammerman served via Electronic Service at ted@copyrightroyalties.com

Broadcast Music, Inc. (BMI), represented by Jennifer T. Criss served via Electronic Service at jennifer.criss@dbr.com

Devotional Claimants, represented by Matthew J MacLean served via Electronic Service at matthew.maclean@pillsburylaw.com

Signed: /s/ Brian D Boydston